

STATE OF NEW YORK

8786--A

IN SENATE

July 15, 2020

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged and said bill committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the mental hygiene law, in relation to establishing the New York state council on mental health emergency and crisis response

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The mental hygiene law is amended by adding a new section
2 7.42 to read as follows:

3 § 7.42 New York state council on mental health emergency and crisis
4 response.

5 (a) There is hereby created in the office, the New York state advisory
6 council on mental health emergency and crisis response. The council
7 shall consist of, at a minimum: the commissioner or his or her designee;
8 an individual representing the state conference of local mental hygiene
9 directors as established under article forty-one of this chapter; an
10 individual representing the mental hygiene legal service as established
11 under article forty-seven of this chapter; and sixteen additional
12 members of which six shall be appointed by the governor, four shall be
13 appointed by the speaker of the assembly, four shall be appointed by the
14 temporary speaker of the senate, and one each shall be appointed by the
15 minority leader of the assembly and senate. Each appointed represen-
16 tative shall be representative of the following and shall represent the
17 various geographic areas of the state. Members shall be knowledgeable in
18 emergency mental health services and shall include, but not be limited
19 to: (i) representatives of emergency mental health units that provide
20 transportation of persons experiencing mental health crises to hospitals
21 or other health care facilities; (ii) statewide organizations represent-
22 ing mental health providers; (iii) statewide advocacy groups represent-
23 ing individuals with a psychiatric condition; (iv) representatives of
24 hospitals including but not limited to hospitals operating a comprehen-
25 sive psychiatric emergency program; (v) physicians and other health and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 mental health professionals with experience in the delivery of mental
2 health crisis services; and (vi) first responders.

3 (b) The council shall make recommendations to the commissioner on
4 topics including but not limited to: (i) identifying best practices for
5 response to mental health crises; (ii) the development of a statewide
6 emergency mental health unit system for the transportation of persons
7 experiencing mental health crises to, from or between hospitals and
8 other health care facilities; (iii) creating a program for the training,
9 examination, and certification of certified emergency mental health
10 responders; (iv) the provision of pre-hospital emergency mental health
11 care; (v) public education and outreach on the benefit of effective
12 communication among emergency service providers and health care provid-
13 ers regarding people experiencing mental health crises; and (vi) any
14 other recommendation deemed appropriate by the council.

15 (c) The term of office of each member shall be two years. Vacancies
16 shall be filled by appointment for the remainder of an unexpired term.
17 The members shall continue in office until the expiration of their terms
18 and until their successors are appointed and have qualified. No member
19 shall be appointed to the state council for more than four consecutive
20 terms.

21 (d) The council shall meet as frequently as its business may require.
22 The presence of a majority of the members shall constitute a quorum. The
23 members of the council shall receive no compensation for their services
24 as members.

25 (e) The commissioner, upon request of the council, shall designate an
26 officer or employee of the office to act as secretary of the council,
27 and shall assign from time to time such other employees as the council
28 may require.

29 (f) The council shall develop and submit a report to the governor, the
30 speaker of the assembly, and the temporary president of the senate no
31 later than December thirty-first, two thousand twenty-one and annually
32 thereafter, pertaining to the recommendations required by this section,
33 and recommendations to effectively implement any initiative identified
34 by the council and other recommendations deemed appropriate by the
35 commissioner.

36 § 2. This act shall take effect on the sixtieth day after it shall
37 have become a law. Effective immediately, the addition, amendment
38 and/or repeal of any rule or regulation necessary for the implementation
39 of this act on its effective date are authorized to be made and
40 completed on or before such effective date.